

## **EXHIBIT 7**

**From:** Foley, Douglas M. [dfoley@mcguirewoods.com]  
**Sent:** Monday, June 08, 2009 9:51 AM  
**To:** John Mannix  
**Cc:** michelle\_mosier; jim\_marcum; ian fredericks; javallone@djmrealty.com  
**Subject:** RE: Cir City - Bloomingdale Lease - Simon Objection

John-

I understood the \$40k break up fee on Chesterfield was in the process of being wired to you. I have copied Michelle to confirm. Do we have your wiring instructions? I understand your concern with Simon but this is just part of the process. If we don't resolve their issues the Court will decide tomorrow. I suspect Simon is just having regrets not having bid on the lease and they are just being difficult at this point. I will keep you posted as the day progresses. Thanks.

Doug.

---

**From:** John Mannix [mailto:jmannix@merchantequity.net]  
**Sent:** Monday, June 08, 2009 9:42 AM  
**To:** Foley, Douglas M.  
**Subject:** Re: Cir City - Bloomingdale Lease - Simon Objection

Doug,

We obviously now have some concern that we are stepping into a messy situation with Simon, which is not (nor ever has been) our intent. We are also concerned that CC has not paid out according to the last stalking horse bid we placed on the Chesterfield property. I am sure you can appreciate our concerns. Please give me an update as soon as you can as we have an investment committee meeting after lunch in which these matters will be discussed. Thanks Joehn

On 6/5/09 8:11 PM, "Foley, Douglas M." <dfoley@mcguirewoods.com> wrote:

Catherine-

Likewise, but I don't know what else you could legitimately want, or what else we could reasonably be expected to give. Please let us know as soon as you can. Thanks.

Doug

Douglas M. Foley  
McGuireWoods LLP  
9000 World Trade Center  
101 West Main Street  
Norfolk, VA 23510-1655  
757.640.3715 (Office)  
757.285.2644 (Mobile)  
[dfoley@mcguirewoods.com](mailto:dfoley@mcguirewoods.com)

This e-mail may contain confidential or privileged information. If you are not the intended recipient, please advise by return e-mail and delete immediately without reading or forwarding to others. CIRCULAR 230 DISCLOSURE. In accordance with Internal Revenue Service Circular 230, we inform you that any discussion of a federal tax issue contained in this communication (including any attachments) is not intended or written to be used, and it cannot be used, by any recipient for the purpose of (i) avoiding penalties that may be imposed on the recipient under United States federal tax laws, or (ii) promoting, marketing or recommending to another party any tax-related matters addressed herein.

---

This e-mail may contain confidential or privileged information. If you are not the intended recipient, please advise